IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 12TH APRIL 2007 / 22ND CHAITHRA 1929

Bail Appl..No. 2178 of 2007(S)

CMP.868/2007 of DISTRICT COURT, PALAKKAD

.....

(CRIME NO.19/2007 OF NEMMARA POLICE STATION, PALAKKAD)

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PETITIONER/ACCUSED:

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1. SAHIJU, S/O.CHANDRAN, AGED 25 YEARS,
   RESIDING AT PAPPANI HOUSE, NEMMARA, CHITTOOR
   TALUK, PALAKKAD DISTRICT..

2. SAJESH, S/O.CHANDRAN,
   AGED 22 YEARS, RESIDING AT PAPPANI HOUSE,
   NEMMAR, CHITTOOR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.JOHNSON P.JOHN
SRI.BABY MATHEW

RESPONDENTS:

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1. STATE OF KERALA REPRESENTED BY
   PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

2. SUB INSPECTOR OF POLICE,
   NEMMARA POLICE STATION, PALAKKAD DISTRICT.

BY PUBLIC PROSECUTOR SRI.K.S.SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 2178 OF 2007

Dated this the 12th day of April, 2007

O R D E R

Petitioners, who are accused Nos.1 and 2 in Crime No.19/07 of Nemmara Police Station for offences punishable under Secs.341, 323, 324 and 308 read with sec.34 I.P.C., seek anticipatory bail. They are alleged to have assaulted the defacto complainant with iron rod resulting in his head injury.

2. The learned Public Prosecutor opposed the application.

3. Anticipatory bail cannot be granted in a case of this nature. But at the same time, I am inclined to permit the petitioners to surrender before the Investigating Officer for the purpose of interrogation and then to have their application for regular bail considered by the Magistrate having jurisdiction. Accordingly, the petitioners shall surrender before the Investigating Officer on any day between 19-4-2007 and 21-04-2007 for the purpose of interrogation and recovery of incriminating material, if any. The petitioners shall, thereafter, be produced on the same day before the Magistrate having jurisdiction, who shall consider their application for regular bail, preferably on the same date on which such application is filed.

This petition is disposed of as above.

(V. RAMKUMAR, JUDGE)

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